

BARCLAY DAMON ^{LLP}

David M. Fulvio
Counsel

April 9, 2024

VIA CM/ECF

Hon. Therese Wiley Dancks
Chief United States Magistrate Judge
Northern District of New York
100 S. Clinton Street
Syracuse, New York 13261-7346

Re: Young America's Foundation, et al. v. Harvey Stenger, et al.
Case No. 20-cv-822 (LEK/TWD)

Dear Chief Magistrate Judge Dancks:

We represent Defendant Harvey Stenger in the above referenced matter. We are writing collectively on behalf of the parties to report that, as required by Your Honor's January 29, 2024 text order (Dkt. No. 285), counsel for the Plaintiffs and Defendants have conferred in good faith to gauge the prospects of a mutually agreeable settlement, and have concluded that the parties are too far apart at this time. As such, we believe any further attempts at mediation, whether with the aid of the Court or a private mediator, are likely to be futile. However, the parties are open to re-evaluating the prospects of settlement following the filing of dispositive motions or the Court's decisions on the same.

Thank you for your continued time and attention to this matter.

Respectfully submitted,



David M. Fulvio

DMF: dmf

cc: Counsel of Record
Via CM/ECF